

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Joseph David Smith,

Plaintiff,

v.

Case No. 2:13-cv-430

Carolyn W. Colvin,
Acting Commissioner of
Social Security,

Defendant.

ORDER

This matter is before the court for consideration of the January 17, 2014, report and recommendation of the magistrate judge to whom this case was referred pursuant to 28 U.S.C. §636(b). The magistrate judge recommended that the decision of the Commissioner be affirmed and that this action be dismissed.

The report and recommendation specifically advised the parties that failure to object to the report and recommendation within fourteen days of the report would "result in a waiver of the right to *de novo* review by the District Judge and of the right to appeal the decision of the District Court adopting the *Report and Recommendation.*" Doc. 21, p. 8.

The court has reviewed the report and recommendation of the magistrate judge. Noting that no objections have been filed and that the time for filing such objections has expired, the court adopts the report and recommendation of the magistrate judge (Doc. 21). The decision of the Commissioner is affirmed, and this action is dismissed. The clerk is directed to enter judgment in favor of the Commissioner of Social Security.

It is so ordered.

Date: February 6, 2014

s/James L. Graham

James L. Graham
United States District Judge